



**TERMINAL DISCLAIMER TO OBVIATE A DOUBLE PATENTING  
REJECTION OVER A PRIOR PATENT**

Docket Number (Optional)  
42390P12919

In re the Application of: Josh B. Mastronarde, et al.

Application No.: 10/038,941

Filed: December 31, 2001

For: **A MEMORY ARBITER WITH GRACE AND CEILING PERIODS AND INTELLIGENT PAGE  
GATHERING LOGIC**

The owner\*, Intel Corporation of 100 percent interest in the instant application hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 and 173, as presently shortened by any terminal disclaimer, of prior Patent No(s) 6,792,516. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patent are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any patent granted on the instant application that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 and 173 of the prior patent, as presently shortened by any terminal disclaimer, in the event that it later: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed in whole or terminally disclaimed under 37 C.F.R. 1.321, has all claims cancelled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as presently shortened by any terminal disclaimer.

Check either box 1 or 2 below, if appropriate.

1. ☐ For submissions on behalf of an organization (e.g., corporation, partnership, university, government agency, etc.), the undersigned is empowered to act on behalf of the organization.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further, that these statements are made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issuing thereon.

2. ☒ The undersigned is an attorney of record.



Signature

9-1-2005  
Date

Mark C. Van Ness, Reg. No. 39,865

Typed or printed name

- ☒ Terminal disclaimer fee under 37 CFR 1.20(d) included.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2039.**

\* Statement under 37 CFR 3.73(b) is required if terminal disclaimer is signed by the assignee (owner).  
Form PTO/SB/96 may be used for making this statement. See MPEP § 324.

Based on PTO/SB/26 (09-03) as modified by Blakely, Solokoff, Taylor & Zafman (wlr) 09/17/2003.  
Send To: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

09/07/2005 EAREGAY1 00000003 10038941

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PATENT  
Attorney's Docket No. 042390.P12919

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Mastronarde et al.

Serial No. 10/038,941

Filed: December 31, 2001

For: **A MEMORY ARBITER WITH  
GRACE AND CEILING PERIODS  
AND INTELLIGENT PAGE  
GATHERING LOGIC**

Examiner: Thai, Tuan V.

Art Unit: 2186

**TERMINAL DISCLAIMER**

Assistant Commissioner for Patents  
Washington, D.C. 20231

Dear Sir:

The owner, INTEL CORPORATION, is the owner of 100 percent interest in above-referenced application ("subject application"). Owner hereby disclaims, except as provided below, the terminal part of the statutory term of the subject application which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173 of U.S. Patent No. 6,792,516 filed on December 28, 2001, as shortened by any terminal disclaimer filed in the prior patent applications. Owner hereby agrees that the subject patent shall be enforceable only for and during such period that it and

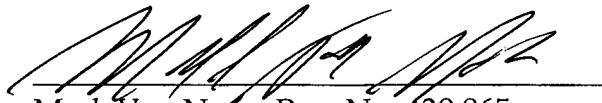
the prior patent are commonly owned. This agreement is binding upon the grantee, its successors or assigns.

In making the above disclaimer, Owners do not disclaim the terminal part of the subject patent that would extend to the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 of the prior patent, in the event that the prior patent: expires for failure to pay a maintenance fee, is held unenforceable, is found invalid by a court of competent jurisdiction, is statutorily disclaimed (other than herein) in whole or terminally disclaimed under 37 CFR 1.321, has all claims canceled by a reexamination certificate, is reissued, or is in any manner terminated prior to the expiration of its full statutory term as shortened by any terminal disclaimer filed prior to its grant.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the application or any patent issued thereon.

BLAKELY SOKOLOFF TAYLOR & ZAFMAN LLP

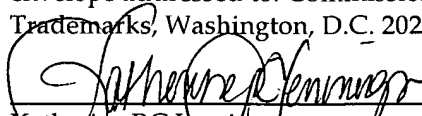
Dated: September 1, 2005

  
Mark Van Ness, Reg. No.: 39,865

1925 NW Amberglen Parkway  
Suite 230  
Beaverton, Oregon 97006  
(503) 439-8778

**CERTIFICATE OF MAILING:**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Commissioner of Patents and Trademarks, Washington, D.C. 20231 on September 1, 2005.

  
Katherine RC Jennings

Date: September 1, 2005



# FEE TRANSMITTAL for FY 2005

Patent fees are subject to annual revision.

☐ Applicant claims small entity status. See 37 CFR 1.27.

**TOTAL AMOUNT OF PAYMENT** (\$) 130.00

## Complete if Known

Application Number	10/038,941
Filing Date	December 31, 2001
First Named Inventor	Josh B. Mastronarde
Examiner Name	Tuan V. Thai
Art Unit	2186
Attorney Docket No.	42390P12919

## METHOD OF PAYMENT (check all that apply)

☒ Check ☐ Credit card ☐ Money Order ☐ None ☐ Other (please identify): \_\_\_\_\_

☐ Deposit Account Deposit Account Number: 02-2666 Deposit Account Name: Blakely, Sokoloff, Taylor & Zafman LLP

For the above-identified deposit account, the Director is hereby authorized to: (check all that apply)

☐ Charge fee(s) indicated below

☐ Charge fee(s) indicated below, except for the filing fee

☒ Charge any additional fee(s) or underpayment of fee(s) under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.

☒ Credit any overpayments

## FEE CALCULATION

### Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
1051	130	2051	65	Surcharge - late filing fee or oath	
1052	50	2052	25	Surcharge - late provisional filing fee or cover sheet.	
2053	130	2053	130	Non-English specification	
1251	120	2251	60	Extension for reply within first month	
1252	450	2252	225	Extension for reply within second month	
1253	1,020	2253	510	Extension for reply within third month	
1254	1,590	2254	795	Extension for reply within fourth month	
1255	2,160	2255	1,080	Extension for reply within fifth month	
1401	500	2401	250	Notice of Appeal	
1402	500	2402	250	Filing a brief in support of an appeal	
1403	1,000	2403	500	Request for oral hearing	
1451	1,510	2451	1,510	Petition to institute a public use proceeding	
1460	130	2460	130	Petitions to the Commissioner	
1807	50	1807	50	Processing fee under 37 CFR 1.17(q)	
1806	180	1806	180	Submission of Information Disclosure Stmt	
1809	790	1809	395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810	790	2810	395	For each additional invention to be examined (37 CFR § 1.129(b))	
Other fee (specify) <u>Terminal Disclaimer</u>					130.00

**SUBTOTAL (2) (\$)** 130.00

## SUBMITTED BY

## Complete (if applicable)

Name (Print/Type)	Mark C. Van Ness	Registration No. (Attorney/Agent)	39,865	Telephone	(503) 439-8778
Signature		Date	09/01/05		